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TO: U. S. Patent and Trademark Office
Attn: Examiner Dr. Karen Canella
Art Unit: 1642

FAX NO.: (703) 872-9306

DATE: November 10, 2003

FROM: Carol G. Mintz

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CLIENT NO.: 1944-00800

TOTAL NUMBER OF PAGES (INCLUDING THIS ONE) 4

COMMENTS: Re: U.S. Patent Serial No. 09/852,547
Applicant: David A. Sirbasku

The following documents are attached for filing:

- Transmittal Form – PTO/SB21 (1 p.)
- Applicant Initiated Interview Request Form – PTO-413A (1 p.)
(attachment of Issues To Be Discussed)

CERTIFICATE OF MAILING/TRANSMISSION (37 CFR 1.8(a))

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PTO/SB/21 (08-03)

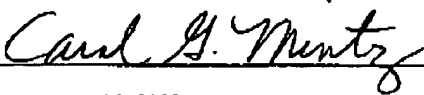
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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/852,547
		Filing Date	May 10, 2001
		First Named Inventor	David A. Sirbasku
		Art Unit	1642
		Examiner Name	Karen A. Canella
Total Number of Pages in This Submission	*	Attorney Docket Number	1944-00800

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> • Fax Transmittal Cover Sheet • Applicant Initiated Interview Request Form <i>(attached Issues to be discussed)</i>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm Or Individual Name	Carol G. Mintz, PTO Reg. No. 38,561
Signature	
Date	November 10, 2003
CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.	
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Signature	Date * _____, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P. O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

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PTOL-413A (08-03)
Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Applicant Initiated Interview Request Form

Application No.: 09/852,547 First Named Applicant: Sirbasku
Examiner: Dr. Karen Canella Art Unit: 1642 Status of Application: 2nd (final) Rej.

Tentative Participants:

(1) Examiner Dr. Karen Canella (2) Carol Mintz
(3) Dr. David Sirbasku (4) _____

Proposed Date of Interview: Tues., Nov. 18, 2003 Proposed Time: 10:00 AM

Type of Interview Requested:

(1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated: ☒ YES ☐ NO

If yes, provide brief description: Draft of proposed claim amendments for discussion

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Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) <u>Obj. (new matter)</u>	<u>66, 77-79</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) <u>Rej. 112, 2nd par.</u>	<u>5, 12, 20, 77-79</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) <u>Priority '348</u>	<u>1, 6, 12, 76</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) <u>Rej. 112, 1st par.</u>	<u>1-5, 66, 70, 73-36</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

Brief Description of Arguments to be Presented:

Certain statements in OA need clarifying: certain rebuttal statements will be explained; support for priority of '348; unclear how certain words and references are being construed; inquire about missing literature references; if they have not been found by PTO, request leave to re-submit in electronic form (CDs).

An interview was conducted on the above-identified application on _____.

NOTE:

This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Carol G. Mintz 11-10-03

(Applicant/Applicant's Representative Signature)

(Examiner/SPE Signature)

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 322 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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09/852,547

ISSUES TO BE DISCUSSED

Issues (Rej., Obj., etc)	Claims/Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(5) <u>Rej. §112, 1st para</u>	8, 67		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(6) <u>Rej. §112, 1st para</u>	12		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(7) <u>Rej. §112, 1st para</u>	13		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(8) <u>Rej. §112, 1st para</u>	14		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(9) <u>Rej. §112, 1st para</u>	15		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(10) <u>Rej. §112, 1st para</u>	17		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(11) <u>Rej. §112, 1st para</u>	19		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(12) <u>Rej. §112, 1st para</u>	20, 77-79		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(13) <u>Rej. §112, 1st para</u>	68		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(14) <u>Rej. §112, 1st para</u>	7		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(15) <u>Rej. §112, 1st para</u>	9		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(16) <u>Rej. §112, 1st para</u>	71		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(17) <u>Rej. §112, 1st para</u>	72		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(18) <u>Rej. §112, 1st para</u>	10-11		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(19) <u>Rej. §112, 1st para</u>	80, 69		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(20) <u>Rej. §112, 1st para</u>	1-15, 17-19, 66-80	Sonnenschein, Tanji Ghosh, Das, Garde Becchis	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(21) <u>Rej. §102(b)</u>	20		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(22) <u>Missing IDS non-patent art</u>			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(25) _____			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(26) _____			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(27) _____			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(28) _____			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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